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C/M

Solomon Neubort
Assistant District Attorney

June 5, 2006

Honorable Edward R. Korman
United States District Court Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

FILED

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JUN 6 2006 ★

BROOKLYN OFFICE

Order
The application
is granted.

s/Edward Korman

WSDT

Re: Alfonso Forney v. Glenn S. Goord 6/5/06
06-CV-0019 (ERK)

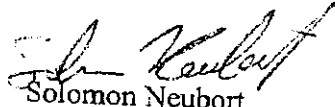
Dear Judge Korman:

I am writing to request an enlargement of time in which to file respondent's answer to petitioner's application for a writ of habeas corpus in the above-referenced case to June 29, 2006. I have already prepared a response to the claims petitioner raised in his habeas petition. However, by supplemental papers dated April 21, 2006, petitioner alleged additional facts in support of his petition. The allegations raised in his supplemental papers were not previously raised in the state courts. Although those allegations of fact are therefore unexhausted, the Office of the District Attorney has been attempting to investigate the allegations.

This Court's order to show cause directed respondent to file an answer within 60 days of receiving the order. The order was received by the Office of the District Attorney on March 29, 2006. Accordingly, because 60 days from March 29, 2006, was May 28, 2006, a Sunday, respondent's answer was due the following day, May 29, 2006. During the week preceding May 29, 2006, I contacted this Court's chambers by telephone and requested an enlargement of time of one month to file an answer to the petition. I was informed that I would be contacted if the enlargement of time was not granted. Because I was not contacted, I assumed that the enlargement of time had been granted.

Accordingly, I am requesting an enlargement of time until June 29, 2006, to file an answer to petitioner's application. Thank you for your consideration.

Sincerely,


Solomon Neubort
Assistant District Attorney
(718) 250-2514

cc: Alfonzo Forney
1579 Sterling Place, #RB-4
Brooklyn, NY 11213